SUBJECT: Nash Neighbourhood Official Plan Amendment, Secondary Plan (PED06224) (Ward 9)

RECOMMENDATION:

(a) That approval be given to Official Plan Amendment No. ___ to the former City of Stoney Creek Official Plan, attached as Appendix “A” to Report PED06224, to adopt the Nash Neighbourhood Secondary Plan; and,

(b) That the General Manager, Planning and Economic Development Department, be hereby authorized and directed to prepare the requisite By-law to amend the Official Plan, in a form satisfactory to the City Solicitor, for presentation to Council.

Lee Ann Coveyduck
General Manager
Planning and Economic Development Department

EXECUTIVE SUMMARY:

This report outlines the completed Nash Neighbourhood Secondary Plan (see Appendix A and B to Report PED06224) and recommends adoption by Council. The City of Hamilton has undertaken a secondary planning study for the Nash Neighbourhood as shown on Figure 1 (attached as Appendix C to Report PED06224). This area is located east of Felker’s Creek, south of the Niagara Escarpment, west of Upper Centennial Parkway, and north of Mud Street West in the former City of Stoney Creek.
Once the Secondary Plan is adopted by City Council the policies will become part of the City’s Official Plan, meaning that Council is legally obligated to implement its policies. The Secondary Plan will guide public and private decision-making for the future of the Nash Neighbourhood.

The City engaged the broader community in a series of consultation events aimed at identifying common principles opportunities and constraints, and a preferred land use strategy for the area, which became the basis for this Secondary Plan.

**BACKGROUND:**

The Nash Neighbourhood study area consists of approximately 370 hectares of land. Certain areas of this neighbourhood are already approved for development. These lands include the Heritage Green Community Park north of Mud Street West (part of Stoney Creek Official Plan Amendment No. 23) and the lands at the north-east corner of Mud Street West and First Road West (Amendment No. 35).

The lands covered by the secondary plan study area contain the former West Quarry Landfill site (the Heritage Green Community Park is located on the lands just north of the capped landfill), the East Quarry Landfill site (currently being land filled as the quarry operation has been completed), farmland, a telecommunication tower and antennas, and a number of natural and built heritage features including environmentally sensitive areas and the Niagara Escarpment.

The Nash Neighbourhood study area is presently designated Special Policy Area “B” in the Heritage Green Neighbourhood Secondary Plan, requiring that prior to development of these lands a secondary plan be developed.

In 1998, the former City of Stoney Creek Planning Department prepared a draft secondary plan for the Nash Neighbourhood. A Community Liaison Committee was established to provide input into the preparation of the plan. On September 30, 1998, the formal Public Meeting under the *Ontario Planning Act* was held for the secondary plan. Soon after the Public Meeting, questions were raised regarding the type of material that was being placed into the East Quarry Landfill.

In November 1998, the former City of Stoney Creek Planning Committee placed the Nash Secondary Plan under Council’s ‘Unfinished Business’ agenda. The matter was to be reconsidered by the Planning and Development Committee upon completion of the following:

1. A final decision being made by Council on the location of the leachate treatment facility on the Taro lands; and,

2. A final report issued by the Ministry of Environment regarding the investigation into potential hazardous waste at the Taro East Quarry Landfill.
The above two conditions were addressed and the City and Taro have an agreement to deal with the location of the treatment facility. The Ministry of Environment has issued a letter stating that a comprehensive investigation into the matter was conducted and that the waste handling procedures in question were not in violation of Regulation 347, thereby allowing development of the surrounding lands.

The Nash Neighbourhood Secondary Plan was then prepared using the land use plan developed in 1998 as one of the options presented to the public along with four other land use options that reflected comments from the public, City staff and current up to date planning standards and legislation.

The land use plan, contained as Schedule A in Appendix A and B to Report PED06224, indicates areas designated for each land use type. These uses are located as follows:

- Low Density Residential - throughout the interior of the neighbourhood.
- Street Related Medium Density Residential - along collector roads.
- Medium Density Residential - to the north of the neighbourhood and adjacent to Felker’s Creek.
- Medium-High Density Residential - adjacent to First Road West, north of the Environmentally Sensitive Area and the Heritage Green Community Park.
- Neighbourhood Park - located at the north/central portion of the neighbourhood;
- Community Park - west of First Road West.
- Environmentally Significant Areas – the Niagara Escarpment, and other ESA’s.
- Local Commercial - on Green Mountain Road West.
- General Commercial - along Upper Centennial Parkway and Mud Street.
- Special Policy Area A – located south of the Niagara Escarpment and west of First Road West, recognizes the telecommunication tower and antenna lands.
- Special Policy Area B – located east of First Road West, south of Green Mountain Road west, recognizes the Taro East Quarry Landfill.
- Special Policy Area C – located north side of Green Mountain Road, west of Upper Centennial Parkway, recognizes the “earth station” (satellite dishes and associated equipment).

The Secondary Plan policies have been prepared to guide development within each of these land use areas. Highlights of the policies include:

- Residential - The Residential policies ensure the provision of a range of housing choices. Low, Medium and High Density areas are identified.

- Commercial – The General Commercial lands are to provide a full range of commercial uses whereas the Local Commercial lands are intended to serve the local needs of the neighbourhood and can be in the form of a mixed use development including residential.

- Special Policy Area A – Telecommunication tower and antenna site – It is recognized that once the telecommunication operations cease these lands would be redeveloped for low and medium density residential.
- Special Policy Area B – The Taro East Quarry Landfill – Once the landfill operation has finished, this site is intended for open space and/or recreational use and may include a golf course.

- Special Policy Area C – Earth Station – These lands are licensed by Industry Canada and subject to Federal Regulations. Once this use ceases, these lands would be redeveloped for Medium Density Residential.

- Parks and Open Space – There is a neighbourhood park identified for the Nash Neighbourhood that provides a connection to the Niagara Escarpment east of First Road West. A second possible neighbourhood park could be developed within Special Policy Areas A or B. The Heritage Green Park is a large park serving the wider community. The smaller neighbourhood parks will serve the local residents. One of these smaller neighbourhood parks provides a direct connection to the Niagara Escarpment and is identified in the land use schedule. Park and Open Space sites are intended to remain for these uses.

Official Plan Amendment

An Official Plan Amendment has been prepared to incorporate the Nash Neighbourhood Secondary Plan as an Amendment to the former City of Stoney Creek Official Plan, in accordance with provisions of the *Ontario Planning Act*. The Amendment will consist of the policy text, land use plan, and other maps.

Zoning By-law

Amendments to the former City of Stoney Creek By-law will be required to implement the Secondary Plan. These amendments will be addressed through the development approvals process and Zoning By-law updates.

ANALYSIS/RATIONALE:

The former City of Stoney Creek Official Plan designates the lands covered by the study area as Special Policy Area “B”. Policy A.12.2.1 states that Special Policy Area “B” is ultimately intended for urban uses, in accordance with the provisions of the Regional Official Plan.

The intent of the Secondary Plan is to establish a detailed land use framework for the Nash Neighbourhood Planning Area and to incorporate these lands into the former City of Stoney Creek Official Plan. The rationale for the Secondary Plan is as follows:

The Secondary Plan is consistent with the Hamilton-Wentworth Official Plan and the Provincial Policy Statement as it accommodates a range of densities and uses to meet residents’ long-term needs and provides for a full range and equitable distribution of publicly-accessible built and natural settings for recreation.

- The proposed Secondary Plan does not detract from the general intent and
objectives of the Greenbelt Plan as the lands that are subject to the Amendment are within the urban area.

- The proposed policy framework for lands in the Nash Neighbourhood is in conformity with the general intent and objectives of the former City of Stoney Creek Official Plan.

- Policies A.12.2.1 and F.3.2 of the Stoney Creek Official Plan require that a Secondary Plan be incorporated into the Official Plan prior to development occurring in the Nash Neighbourhood. Servicing of this area will be available subject to the Master Servicing Plan to be completed in the near future and therefore it is desirable to establish a land use pattern at this time.

- Inclusion of the Nash Neighbourhood within the Heritage Green Secondary Plan will be in keeping with the Hamilton-Wentworth Official Plan.

- The subject lands are contiguous to the existing designated urban area and the development of this area is a logical extension to existing development.

- Approval of the Secondary Plan will allow for the construction of additional housing stock in accordance with the Growth Related Integrated Development Strategy (GRIDS).

- Implementation of the Secondary Plan provides an opportunity for the development industry and the City to consider different forms of development at the subdivision stage such as but not limited to reduced road widths, reduced front yards and a greater mix of housing.

**ALTERNATIVES FOR CONSIDERATION:**

A range of land use density options were prepared and evaluated during the preparation of the Secondary Plan. Four different land use options were prepared and presented at the first Public Information Centre (PIC) held in March 2005. These alternatives included the following:

- **OPTION A** - Option A had the lowest density of the four options presented. The emphasis was on low density development with a gateway entrance feature on First Road West at the entrance of the residential portion of the neighbourhood. There was a park located at the north central portion of the neighbourhood surrounded by medium density residential. The street pattern was a slightly modified grid pattern to facilitate pedestrian and transit movement.

This Option was ultimately not chosen as the densities proposed would not satisfy provincial legislation which requires higher densities and a full range of residential unit types. In addition, this option included development within an ESA at the north east corner of the Neighbourhood which is not permitted pursuant to the Davis Creek Subwatershed Study. Finally, the westerly north/south roadway connection was not considered acceptable through the ESA.
pursuant to the Davis Creek Subwatershed Study which changed the rationale for the school site location.

- **OPTION B** - Central to this option was the relocation of the commercial lands to the corner of Green Mountain Road and First Road West to provide emphasis on a gateway feature into the neighbourhood. As well, street related medium density residential was added along some of the collector roads to create additional density along the street frontages. High density residential was added to the east of the neighbourhood to provide an opportunity for maximum 8 storey residential buildings adjacent to Upper Centennial Parkway. Out of the five options for the Nash Neighbourhood, this option had the second highest intensity in terms of residential development.

This Option was not chosen as the extent of high density residential development was not considered to be feasible due to development constraints associated with bedrock in proximity to the escarpment. Further, the location of commercial development was reconsidered as a principal entrance feature to the community.

- **OPTION C** - The intent of this option was to create a walkable community centre with the relocation of the commercial lands to the interior of the neighbourhood and the central pedestrian street leading through the neighbourhood and commercial centre. Emphasis was on creating an open space edge along the Niagara Escarpment to provide a buffer from development and a continuous open space system.

This Option was not specifically chosen as there were specific issues identified by the public regarding the open space edge along the Escarpment edge and a need for refinement of the environmental features.

- **OPTION D** - This option was very different from the other five options presented. The neighbourhood was designed to focus all streets towards the Niagara Escarpment with an open space system along the Escarpment edge. Emphasis was on preserving prime views towards the Escarpment. Density was situated along the major collector roads. The commercial areas were located to the north of the neighbourhood around parkland and high density residential. Option D had the highest density out of the five options.

This option was not chosen because it also relied on the westerly north/south road connection through the ESA to define the community structure. In addition, this option illustrated the discontinuation of Green Mountain Road as a principle collector road within the Nash community.

A preferred Land Use Plan represented a combination of these options and was presented along with the previous options as **OPTION E – Preferred Land Use Option** at the Second PIC held in November 2005. The uses and densities considered most appropriate for each area were identified, taking into consideration the surrounding uses and densities. This option placed greater emphasis on the preservation and integration
of the vistas and views to areas of visual interest with a main north/south road leading from Green Mountain Road West north towards the park and Niagara Escarpment. The location and placement of the park block takes advantage of and enhances visual opportunities of the Escarpment. The commercial area is relocated to Green Mountain Road West.

The final preferred land use option was evaluated and refined with considerable input from the staff study team, the public who attended the two public information centres, as well as property owners.

**FINANCIAL/STAFFING/LEGAL IMPLICATIONS:**

Financial and Staffing – A plan of action is recommended arising from the policies in the Secondary Plan. The Implementation section identifies action items for City departments as well as other stakeholder groups. The recommended City actions and initiatives will form part of the work plan and budget submission to be brought forward for approval in future years.

Legal – As required by the *Ontario Planning Act*, Council shall hold at least one (1) formal Public Meeting to consider this Official Plan Amendment.

**POLICIES AFFECTING PROPOSAL:**

**Places to Grow**

On June 16, 2006, the province released the Growth Plan for the Greater golden Horseshoe, 2006 under the *Places to Grow Act, 2005*. The *Places to Grow Act* requires that all decisions under the *Planning Act* conform to a Growth Plan.

The Nash neighbourhood is defined as a “Designated Greenfield Area” in the Growth Plan and subject to Policy 2.2.7 of the Growth Plan. These policies require new development to be planned, designated, zoned and designed in a manner that:

- a) contributes to creating complete communities.
- b) creates street configurations, densities, and an urban form that support walking, cycling, and the early integration and sustained viability of transit services.
- c) provides a diverse mix of land uses, including residential and employment uses, to support vibrant neighbourhoods.
- d) creates high quality public open spaces with site design and urban design standards that support opportunities for transit, walking and cycling.”

The Nash neighbourhood plan is in compliance with these policies as demonstrated in the proposed policies and land use schedule identified in Appendices A and B.
In addition, the Growth Plan requires that the Nash Neighbourhood be planned to achieve a minimum density target that is not less than 50 residents and jobs combined per hectare. However, the implementation of this policy on a neighbourhood basis has not been clarified by the province to date.

Development within the Nash Neighbourhood has significant environmental constraints where development is not permitted, including the Niagara Escarpment, extensive Environmentally Significant Areas, and two large quarry blocks which have been, or are currently being used for landfill purposes. In addition, because of the proximity of these lands to the escarpment edge, the bedrock is relatively close to the surface, restricting the ability for extensive high density development.

Cumulatively, these constrained lands account for approximately 177 hectares of land, or 48% of the total area of the Nash Neighbourhood. Accordingly, meeting the provincial target of 50 residents and jobs per hectare was a challenge. The practical approach taken by staff has been to remove the ESA’s and former Quarry sites from the total area. Based on this approach, the proposed Nash Neighbourhood has been designed at an average density of 50 residents per hectare and satisfies the provincial target.

Provincial Policy Statement

The Official Plan Amendment and Secondary Plan are considered consistent with the 2005 Provincial Policy Statement (PPS):

- The proposal “ avoids development and land use patterns which may cause environmental or public health and safety concerns” (Policy 1.1.1 c);

- The plan provides for “a full range and equitable distribution of publicly-accessible built and natural settings for recreation, including facilities, parklands, open space areas, and trails” (Policy 1.5.1.b); and,

- The plan promotes “the diversity and connectivity of natural features in an area, and the long-term ecological function and biodiversity of natural heritage systems…” (Policy 2.1.2).

Niagara Escarpment Plan

Portions of the Nash Neighbourhood Secondary Plan are located within the Niagara Escarpment Planning Area. They are designated under Section 1.3 Escarpment Natural Area and Section 1.7 Urban Area. Escarpment Natural Areas designation includes areas with Escarpment features which are in a relatively natural state and associated stream valleys, wetlands and forests which are relatively undisturbed. These areas contain important plant and animal habitats and geological features and cultural heritage features and are the most significant natural and scenic areas of the Escarpment. The policy aims to maintain these natural areas. Areas designated under Section 1.7 Urban Areas, are urban areas in which the Escarpment and closely related
lands are located. The policy aims to minimize the impact and further encroachment on the Escarpment environment.

The Official Plan Amendment and Secondary Plan are considered consistent with the policies of the Niagara Escarpment Plan:

- The Secondary Plan proposes a 30 metre buffer from the Escarpment brow to ensure the natural Escarpment features are maintained (Sec. 1.3) and to minimize the impact and further encroachment of urban growth on the Escarpment environment (Sec. 1.7);

- The Secondary Plan proposes a single loaded scenic road adjacent to the Escarpment Natural Area to provide adequate public access to the Niagara Escarpment; and,

- The Secondary Plan proposes lower density residential housing in proximity to the Escarpment providing for protection of the visual integrity of the area.

Hamilton-Wentworth Official Plan

The Hamilton-Wentworth Official Plan (OP) designates the Nash Neighbourhood as Urban. The policies of the Regional OP promote the principles of sustainable development which are designed to provide for development which meets the needs of both current and future generations. The Urban designation in the OP permits a variety of land uses; however, the land use strategy of the OP is to promote compact urban form for all urban land uses. The policy directions that are most relevant include the following:

- The management of natural areas and resources in a manner which respects ecological processes and sustainability;

- Providing for housing which meets the needs of the diversity of households in the Region;

- Providing for an integrated transportation system which stresses easy pedestrian, transit, bicycle, and vehicular access to all basic needs; and,

- Compact urban areas and higher densities.

The Official Plan also requests the Area Municipalities undertake Secondary Plans to target density, population/employment ratio, and intensification. Therefore, as the land use designations outlined in the Secondary Plan will result in opportunities for intensification through increased density in the urban area, making efficient use of existing services and infrastructure; the proposal complies with the policies of the Hamilton-Wentworth Official Plan.
City of Stoney Creek Official Plan

The former City of Stoney Creek Official Plan designates the lands covered by the study area as Special Policy Area “B”. Policy A.12.2.1 states that Special Policy Area “B” is ultimately intended for urban uses in accordance with the provisions of the Regional Official Plan. However, until such time as appropriate studies are completed to identify a detailed secondary plan (incorporated into the Official Plan as an amendment), the relevant agricultural policies and other associated policies of the Official Plan are in effect. The proposed Nash Neighbourhood Secondary Plan will be incorporated into the former City of Stoney Creek Official Plan, by amendment, providing policies which allow for the efficient utilization of the existing land resources, services and infrastructure. Intensification and redevelopment of lands will be designated through the Official Plan, creating opportunities for new housing in higher density forms.

Zoning By-Law

Currently, the majority of lands north of Green Mountain Road are zoned Neighbourhood Development “ND” Zone. There are also some properties which are zoned Single Residential “R1” Zone and Highway Commercial “HC”. South of Green Mountain Road large tracts of land are zoned Extractive Industrial “ME-1”, Intensive Recreation “IR-2” and Neighbourhood Development “ND”. Other properties are zoned General Commercial “GC-4”, Highway Commercial “HC”, Multiple Residential RM4-3(H) and Single Residential “R1”.

Prior to development, the lands in the Nash Neighbourhood will have to be rezoned to reflect the secondary planning policies.

**RELEVANT CONSULTATION:**

The land use plan and policies for the Nash Neighbourhood Secondary Plan were prepared with extensive input from a staff advisory team and the public. The proposals were prepared with, and circulated to, various departments and agencies for review and comments, including:

- Public Works, Capital Planning & Implementation.
- Hamilton Conservation Authority.
- Ministry of the Environment.
- The Niagara Escarpment Commission.
- Hamilton-Wentworth Separate and District School Boards.

The final preferred Land Use Plan satisfies all of the concerns of these departments and agencies.

There was also a Neighbourhood Background Report prepared early during the study to compile and analyze planning information related to the area.
Public consultation for the Nash Neighbourhood Secondary Plan began back in November 2004 and has continued into 2006. The study team undertook key steps in the public consultation process to help ensure that the outcome of the Nash Neighbourhood Secondary Plan reflects the interests and concerns of potentially affected people and parties. The Nash Neighbourhood public consultation involved:

- **Public Information Centre (PIC) #1** – held on March 31, 2005 to present four different preliminary land use options for the neighbourhood. There were approximately 30 attendees at this PIC. Attendees were invited to provide input regarding the different land use options presented by speaking to staff or filling out a comment sheet.

- **Public Information Centre #2** – held on November 24, 2005 to present the same four land use options presented at PIC #1 as well as the preferred land use option. There were approximately 40 attendees at this PIC. Attendees were invited to provide input regarding the different land use options presented by speaking to staff or filling out a comment sheet.

- **Web Page** – As part of the public consultation process, City staff created a site on the City of Hamilton’s Web page titled “Nash Neighbourhood Secondary Plan” ([http://hamilton.ca/nash](http://hamilton.ca/nash)). The site provided members of the community, external agencies, and other stakeholders, information on the project, the study process, Public Information Centre dates, relevant reports, and presentation materials. The website was updated when new information was made available. This was one key method of providing participants with information they needed to participate in a meaningful way.

**CITY STRATEGIC COMMITMENT:**

By evaluating the “Triple Bottom Line”, (community, environment and economic implications) we can make choices that create value across all three bottom lines, moving us closer to our vision for a sustainable community, and Provincial interests.

Community Well-Being is enhanced. ☑ Yes ☐ No
Community input was essential to the successful completion of the Nash Neighbourhood Secondary Plan process. It was important for the public to be involved early in the process to help identify the community's strengths, weaknesses, opportunities and threats, the results of which were used to develop the vision for the Secondary Plan. Public participation is consistent with the principle of self-determination and participation.

Environmental Well-Being is enhanced. ☑ Yes ☐ No
The Nash Neighbourhood Secondary Plan promotes a system of interconnected natural areas which aims to protect natural areas including the Niagara Escarpment from adverse impacts of development and where appropriate, provides access for all citizens of the City of Hamilton.

Economic Well-Being is enhanced. ☑ Yes ☐ No
The Nash Neighbourhood Secondary Plan promotes a mix of built form while enhancing and celebrating the City's natural environment and built heritage making Hamilton a more desirable place to live and work.
Does the option you are recommending create value across all three bottom lines? ☑ Yes ☐ No

The Nash Neighbourhood Secondary Plan creates value across all three bottom lines as there are environmental, social/health and economic benefits as noted above. The Secondary Plan promotes planning principles that reflect and build upon many of the City’s VISION 2020 goals for creating a healthy and sustainable city such as providing safe continuous public access through the community; enhancing, promoting and protecting natural areas; and promoting a mix of land uses to meet resident’s needs. They are the foundation of the Secondary Plan. As such, they provide important criteria against which future initiatives and proposals for the area will be evaluated to help ensure the broad public objectives for the Nash Neighbourhood are realized.

Do the options you are recommending make Hamilton a City of choice for high performance public servants? ☐ Yes ☑ No

The recommendations are intended to respond to the requirements set out in the Official Plan with regards to urban development within the existing urban boundary. They are an example of the City’s desire to set a high standard in attempting to design a neighbourhood based on promoting health and well-being of residents, protecting the natural and built environment and encouraging development that makes efficient and economical use of infrastructure and services.

:AM/BK:dkm

Attachs. (3)
Amendment to the

former City of Stoney Creek Official Plan

The following text, together with:

- Schedule “A” (Schedule “A” – General Land Use Plan);
- Schedule “B” (Schedule “A3” – Secondary Plan, West Mountain Planning District, (Heritage Green));
- Schedule “C” (Schedule “A3-2” – Secondary Plan, West Mountain Planning District, Nash Neighbourhood)
- Schedule “D” (Schedule “A3-3 - Nash Neighbourhood Road Classification Plan)
- Schedule “E” (Schedule “B” – Stoney Creek Open Spaces & Natural Environment System);
- Schedule “F” (Schedule “D” – Functional Road Classification)

attached hereto, constitute Official Plan Amendment No. XXX to the City of Stoney Creek Official Plan.

Purpose and Effect:

The purpose of the Amendment is to:

- Incorporate the Nash Neighbourhood Secondary Plan into the former City of Stoney Creek Official Plan, identifying land uses, densities, development forms, cultural heritage features, development standards, and provide for the protection of existing natural features for the Nash Neighbourhood.

- Amend and re-organize existing policies for the West Mountain Planning district in response to the incorporation of the Nash Neighbourhood Secondary Plan;

- Amend various policies and schedules of the Official Plan to reflect the principles and policies contained in the Nash Neighbourhood Secondary Plan.

The effect of the Amendment is to establish a policy framework which will guide the development and redevelopment of lands within the Nash Neighbourhood planning area.
**Location:**

The lands affected by this Amendment are located in the area situated east of Felker’s Creek, south of the Niagara Escarpment, west of Upper Centennial Parkway, and north of Mud Street, within the former City of Stoney Creek as illustrated on Schedule “B” to this amendment.

**Basis:**

The intent of this Amendment is to establish a detailed land use framework for the Nash Neighbourhood Planning Area and to incorporate these lands into the former City of Stoney Creek Official Plan. The basis for permitting this amendment is as follows:

- The Minister of the Environment and Energy, as a condition of approval of the Environmental Assessment for Taro East Quarry Landfill Site located in the south-east section of the Nash Neighbourhood, required that a Secondary Plan Study be undertaken by the City.

- The Secondary Plan is consistent with the Hamilton-Wentworth Official Plan and the Provincial Policy Statement as it accommodates a range of densities and mix of uses to meet residents’ long-term needs and provides for a full range and equitable distribution of publicly-accessible built and natural settings for recreation.

- The proposed Secondary Plan does not conflict with the Places to Grow Plan.

- The proposed policy framework for lands in the Nash Neighbourhood is in conformity with the general intent and objectives of the former City of Stoney Creek Official Plan.

- Policies A.12.2.1 and F.3.2 of the Official Plan require that a Secondary Plan be incorporated into the Official Plan prior to development occurring in the Nash Neighbourhood. Servicing of this area is available in the near future and therefore it is desirable to establish a land use pattern at this time.

- The subject lands are contiguous to the existing designated urban area and the development of this area is a logical extension to existing development.

- Implementation of the Secondary Plan will allow for an opportunity for the development industry and the City to consider different forms of development at the subdivision stage such as but not limited to reduced road widths, reduced front yards and a greater mix of housing.
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Actual Changes:

Map Changes:

(a) City of Stoney Creek Official Plan Schedule “A” – General Land Use Plan
   (i) This Schedule is revised by redesignating the lands designated as “Special Policy Area ‘A’”, “Special Policy Area ‘B’” and “Residential” to “Residential”, “Medium Density Residential”, “Open Space”, and “General Commercial” as shown on the attached Schedule “A” to this amendment.
   (ii) This Schedule is revised by adding a new designation “Special Policy Area ‘C’” as shown on the attached Schedule “A” to this amendment.

(b) City of Stoney Creek Official Plan Schedule “A3” - Secondary Plan, West Mountain Planning District, Heritage Green Section
   (i) This Schedule is revised by including the entire subject lands on the key map and annotating it as ”Nash” on the “Neighbourhoods” key map as shown on the attached Schedule “B” to this amendment
   (ii) This Schedule is revised by removing the following designations from the subject lands:
       • “Special Policy Area ‘A’”
       • “Special Policy Area ‘B’”
       • “General Commercial”
       • “Medium-High Density Residential”
       • “Open Space-Community Park, DP-Detention Pond”

       and replacing them with the following annotation: “See Schedule “A3-2” as shown on the attached Schedule “B” to this amendment.
   (iii) This Schedule is revised by deleting the designations “Special Policy Area ‘A’” and “Special Policy Area ‘B’” from the legend as shown on the attached Schedule “B” to this amendment.

(c) The City of Stoney Creek Official Plan is revised by adding “Schedule “A3-2” – Nash Neighbourhood Secondary Plan” to the Official Plan as shown on the attached Schedule “C” to this amendment.
The City of Stoney Creek Official Plan is revised by adding “Schedule “A3-3” – Nash Neighbourhood Road Classification Plan” to the Official Plan as shown on the attached Schedule “D” to this amendment.

Stoney Creek Official Plan Schedule “B” – Stoney Creek Open Spaces & Natural Environment System

This Schedule is revised by:

(i) designating lands “CLASS 1 – Environmentally Sensitive (Significant) Areas”; and,

(ii) deleting two parcels of land designated as Class 4 - Open Space and Parks;

as shown on the attached Schedule “E” to this amendment.

City of Stoney Creek Official Plan Schedule “D” - Functional Road Classification

This Schedule is amended by removing the designations “Special Policy Area “A”” and “Special Policy Area “B”” from the schedule and the legend as shown on the attached Schedule “F” to this amendment.

Text Changes:

Subsection A.12 is amended by deleting Policy A.12.1 and Policy A.12.2 and replacing them with new Policy A.12.1 and Policy A.12.2 as follows:

“12.1 Special Policy Area ‘A’

12.1.1 Special Policy Area ‘A’ as identified on Schedules “A” and “A3-2” is currently used for a telecommunication tower and antenna. These existing uses are recognized and permitted until redevelopment of the land occurs.

12.1.2 These lands are intended to be redeveloped for Medium Density Residential, open space and stormwater management purposes. Development for these uses can occur without further amendment to this Plan.
12.2 Special Policy Area ‘B’

12.2.1 Special Policy Area ‘B’ as identified on Schedules “A” and “A3-2” is ultimately intended for open space and/or recreational uses and may include a golf course. However, these lands may be used for land fill and quarry operations in accordance with the Terms and Conditions of the Agreement among the Corporation of the former City of Stoney Creek, Taro Aggregates Ltd. and Philip Environmental Inc. dated February, 1997; the Provisional Certificate of Approval for a Waste Disposal Title No. A181008 dated September 6, 1996; and Notice of Approval to proceed with the undertaking under Section 14 of the Environmental Assessment Act dated July 15, 1996; and any amendments to the aforementioned documents.

12.2.2 Final closure of this site, and the after-use of this site for recreational and open space uses, such as a golf course, will require the approval of the Minister of Environment pursuant to the provisions of the Environmental Protection Act, as amended.

12.2.3 Recreational and Open Space uses, when approved by the Minister, can occur without amendment to this Plan subject to any necessary Site Plan and Development Agreements being approved by the City.”

(h) Subsection A.12 is amended by adding a new Policy 12.3 as follows:

“12.3 Special Policy Area ‘C’

12.3.1 Special Policy Area ‘C’ as identified on Schedules “A” and “A3-2” is currently used for an “earth station” (satellite dishes and associated equipment) regulated and licensed by Industry Canada and subject to Health Canada’s Safety Code 6 guidelines. This existing use is permitted, subject to compliance with the noted Federal Regulations, as amended, until redevelopment of the property occurs.

12.3.2 These lands are intended to be redeveloped for Medium Density Residential purposes. Development for these uses can occur without further amendment to this Plan.”

(i) Subsection A.13.3 West Mountain Area – Heritage Green Section Area Secondary Plan is amended by deleting Policy 13.3.11 and Policy 13.3.15.
Subsection A.13.3 West Mountain Area – Heritage Green Section Area Secondary Plan is amended by deleting Policy 13.3.18 and replacing it with the following policies:

"13.3.18 Nash Neighbourhood"

The policies of this section in conjunction with Schedule “A3-2” and “A3-3” constitute the Secondary Plan for the Nash Neighbourhood, establishing land uses, basic transportation network, community facilities, infrastructure requirements and development standards to guide the development and/or redevelopment of lands located in the Nash Neighbourhood. These policies along with the general policies in the Official Plan provide guidance and direction for the protection of the neighbourhood’s natural areas and environmental resources.

13.3.18.1 Planning and Development Principles

Development of the Nash Neighbourhood shall be based on the following principles:

(a) Provision of safe, continuous public access throughout the neighbourhood and between adjacent neighbourhoods;

(b) Creation of a more balanced multi-modal transportation system which facilitates public transit, cycling, and walking modes in addition to automobiles;

(c) Development of community structure based on a modified grid pattern of streets to maximize connectivity and permeability while respecting the natural topography of the land;

(d) Development of a “Gateway Road” along First Road West, north of Green Mountain Road that will reinforce the unique character of this community. This road should integrate both recreational trails for pedestrians as well as bicycles into the transportation framework of the community;

(e) Integration of new parks and open spaces with existing natural open spaces to provide new passive recreation resources and destinations and to establish linkages creating an interconnected system of parks and open space;

(f) Identification, protection, conservation and wise management of the tangible and intangible cultural heritage
resources of the City of Hamilton for present and future generations. Where feasible, natural heritage elements that remain on site shall be considered for integration into the Nash Neighbourhood community;

(g) Enhancement of the physical and visual connections to the Niagara Escarpment and Environmentally Significant Areas through the layout and design of the community including placement of parks/open space areas and the creation of streetscapes that create and protect views;

(h) Rehabilitation of the former Quarry sites located east and west of First Road West, north of Mud Street for future recreational development; and

(i) Provision of a mixture of land uses, including a full range and mix of housing types. All built forms shall be designed at a human scale and the neighbourhood shall include a variety of streets and streetscapes that are appropriate to adjacent land use activities.

13.3.18.2 Objectives

Objectives provide the framework for the planning and development of the Secondary Plan Area by both the public and private sectors. The objectives will be implemented by the mechanisms set out in this Secondary Plan and the Official Plan.

a) Land Use

i) To ensure the Neighbourhood is developed with a compact urban form at an appropriate scale that is pedestrian-oriented and fosters community interaction.

ii) To promote development at densities suitable to support the public transit network.

iii) To create a sense of identity and continuity through design.

iv) To encourage energy conservation through community and site planning and urban design.
v) To conserve the built heritage including buildings and structures in accordance with the Ontario Heritage Act.

vi) To ensure the development of an attractive, compact, safe and pedestrian oriented urban environment, including a high quality of design for public parks and open spaces, appropriate streetscape standards, the development of attractive buildings and appropriate relationship between buildings and streets, parks and other public spaces, and compatibility between areas of different land use or development intensity.

b) Residential Development

i) To create a residential community with a safe, healthy and functional environment that can accommodate approximately 9,600 people (based on about 3,600 dwelling units).

ii) To ensure that opportunities for a full range and mix of low, medium and high density housing are provided within the Neighbourhood.

c) Major Institutional Development

i) To accommodate facilities for public use including health and community uses.

ii) To integrate institutional uses with the residential community.

d) Open Space and Environmental Features

i) To establish a network of connected open space accessible to all residents with natural and cultural features integrated into open space areas and providing a strong link to the open space associated with the Niagara Escarpment and Environmentally Significant Areas.

ii) To create open spaces with a clear function and relationship to the Community.

iii) To ensure the preservation and enhancement of significant environmental features, including the
Niagara Escarpment, Environmentally Significant Areas, and the valley lands associated with Felker’s Creek.

iv) To promote community health through a system of non-vehicular trail connections through the new community with linkages to surrounding lands.

v) To provide opportunities for recreation where they do not impact natural heritage features.

vi) To conserve the natural beauty and distinctive character of the Niagara Escarpment landscape.

e) Transportation

i) To develop a land use pattern and transportation system that supports vehicular traffic, transit, cyclists and pedestrians.

ii) To achieve a street network that is laid out in a modified grid pattern that maximizes connectivity to and within the neighbourhood so that there are alternate vehicular and pedestrian routes to most destinations.

iii) To design streets at a pedestrian scale, that are attractive public spaces while still serving vehicular traffic functions.

iv) To ensure that all new development is designed to facilitate efficient and effective public transportation operations.

f) Heritage

i) To identify and protect historically or architecturally significant buildings.

ii) To ensure appropriate managements, conservation, mitigation or preservation of archaeological resources.
g) Services

i) To ensure that all new development occurs on the basis of full urban water and sanitary sewer facilities.

ii) To design and implement a stormwater management system that is integrated with the open space system and which mitigates impacts on the natural environment.

iii) To ensure that the necessary infrastructure and services are in place to facilitate the timely and orderly development of the community.

h) Finance

i) To ensure the costs of services and facilities required to permit and support the development of the community are financed in accordance with:

- The ability of the municipality and the landowners to pay;
- The provisions of the Development Charges Act, and;
- The Development Charges by-law adopted by the City.

Policies

The policies in the following sections address land uses and other matters common to all parts of the Nash Neighbourhood study area and are intended to ensure all future planning and development in the area addresses issues and opportunities best viewed from a city-wide perspective.

13.3.18.3 Land Use Policies - General

a) The Nash Neighbourhood is comprised of the lands situated east of Felker Creek, south of the Niagara Escarpment, west of Upper Centennial Parkway, and north of Mud Street West within the former City of Stoney Creek, as depicted on Schedule “A3-2”

b) Schedule “A3-2” – Nash Neighbourhood Secondary Plan, shows the land use designations for the entire Nash Neighbourhood.
c) Development within the Nash Neighbourhood shall provide a mix of housing opportunities in terms of lot size, unit size, style and tenure that are suitable for different age levels, income groups, lifestyles, and household structures.

d) In an effort to make best use of lands currently located within the City’s urban boundary, medium to medium-high densities will be encouraged throughout this neighbourhood. This can be achieved through the provision of smaller lots in interior locations and medium-high density developments located at external locations within the neighbourhood.

e) Development of Special Policy Areas ‘A’, ‘B’ and ‘C’ as shown on Schedule “A” and “A3-2” shall be subject to the policies of Subsection A.12, “Special Policy Areas” of this Plan.

13.3.18.4 Residential

a) For lands designated “Low Density Residential” on Schedule “A3-2”, the following policies apply:

i) Single detached, semi-detached, duplex and street townhouses are permitted.

ii) The density of development shall range from 20 to 35 units per net residential hectare.

iii) The maximum height of dwelling units shall be no more than 3 storeys.

iv) Other forms of low density housing may be considered where neighbourhood compatibility can be demonstrated to the satisfaction of the City. Their appropriateness will be evaluated in terms of protection of natural vegetation, lot frontages and areas, building height, coverage, mass, setbacks, and privacy.

v) The location of “Low Density Residential” is to be at the interior of residential neighbourhoods adjacent to local and/or collector roads.

b) For lands designated “Medium Density Residential 1” on Schedule “A3-2”, the following policies apply:
i) Multiple dwellings such as street and block townhouses, duplexes, triplexes and quadraplexes are permitted.

ii) The density of development shall be in the range of 30-49 units per net residential hectare.

iii) The maximum height of dwelling units shall be 3 storeys.

iv) Detached and semi-detached dwellings shall be permitted within this designation, provided the density falls within the density specified for Medium Density Residential 1.

v) The location of Medium Density Residential 1 shall generally be at the periphery of residential neighbourhoods adjacent to or close to arterial and/or collector roads.

vi) Policy 1.2.15 of this Plan shall not apply to the development of lands designated Medium Density Residential 1 on Schedule “A3-2”.

c) For lands designated “Medium Density Residential 2 (Street Related)”, the following policies shall apply:

i) Multiple dwellings such as street and block townhouses, duplexes, triplexes and quadraplexes are permitted.

ii) The density of development shall be in the range of 30-49 units per net residential hectare.

iii) The maximum height of dwelling units shall be 3 storeys.

iv) Detached and semi-detached dwellings will be allowed within this designation, provided the density falls within the density range specified in ii) above.

v) The location of Medium Density Residential 2 (Street Related) shall generally be at the periphery of residential neighbourhoods adjacent to or close to arterial and/or collector roads.
vi) Individual driveways shall not be permitted to directly access the public street. Individual vehicular access shall be provided by either a private lane parallel to the public road in front of the buildings separated from the public street by an enhanced continuous landscape strip or, by a private lane behind the buildings.

vii) Buildings shall be located as close to the street as possible while still allowing for front porches, stairs and a small landscaped area; or other appropriate methods that would achieve the desired effect would also be considered.

viii) Policy 1.2.15 of this Plan shall not apply to the development of lands designated Medium Density Residential 2 (Street Related) on Schedule “A3-2”.

d) On lands designated “Medium-High Density Residential” on Schedule “A3-2”, the following policies apply:

i) Apartment buildings and street and block townhouses are permitted providing that heights do not exceed 8 storeys.

ii) The density of development shall be in the range of 50-99 units per Net Residential Hectare.

iii) The location of “Medium-High Density Residential” is to be adjacent to or in close proximity to collector roads, community park facilities and open space areas.

iv) Policy 1.2.15 of this Plan shall not apply to the development of lands designated Medium-High Density Residential on Schedule “A3-2”.

e) Net residential densities shall be calculated according to Policy A.1.2.13 in the Official Plan. Densities for street townhouses shall be calculated in the same manner as for single, duplex and semi-detached dwellings.
13.3.18.5 Commercial

a) In addition to the policies of Section 3.3.5, “LOCAL COMMERCIAL” of this Plan, for areas designated “Local Commercial” on Schedule “A3-2”, the following policies apply:

i) Auto-oriented commercial uses, such as drive-through establishments, gas stations and auto repair garages are not permitted.

ii) The maximum height of buildings shall be 3 storeys.

iii) Adequate off-street parking shall be provided.

b) In addition to the policies of Section A.3.3.2, “GENERAL COMMERCIAL” of this Plan, the following policy shall apply to lands designated “General Commercial” on Schedule “A3-2”:

i) Where possible, combined accesses shall be provided.

13.3.18.6 Institutional

a) Notwithstanding Section A.5 of this Official Plan, on lands designated “Institutional” on Schedule “A3-2”, the intended use of these lands shall be for schools and ancillary uses and facilities normally accessory to schools. Should these lands not be required for schools then the lands may be developed for Medium Density Residential and/or Park purposes without further amendment to the Official Plan.

13.3.18.7 Parks and Open Space

a) The open space system for the Nash Neighbourhood includes the following components shown on Schedule “A3-2”:

i) open space

ii) neighbourhood parks

iii) The Niagara Escarpment

iv) Environmentally Significant Areas

v) hedgerow features

vi) Trails
b) The primary uses permitted shall be in accordance with Subsection A.7, “Open Space” of this Plan.

c) Notwithstanding Policy A.7.2.4 of the Official Plan, Neighbourhood Parks shall serve the local neighbourhood needs of 0.7 hectares per 1,000 population; however, any one site shall have a minimum area of approximately 2.0 hectares.

d) Multi-purpose trails shall be established in the linked open space system pursuant to the approved Hamilton Trails Master Plan and identified in Schedule “A3-2”. Every effort shall be made to connect new trails to existing and planned trails within and around the neighbourhood. The trails shall be established through plans of subdivision and development agreements.

e) The former Taro Quarry West lands designated Open Space located west of First Road West, between Mud Street West and the Heritage Green Community Park and east of the unopened road allowance are ultimately intended for open space and/or recreational use and may include a golf course. In accordance with Stoney Creek Official Plan Policy F.4.3 and Section 45 of the Environmental Protection Act, the Zoning By-law shall impose a Holding Zone in conjunction with a lands use category on these lands until the mineral aggregate extraction site has been rehabilitated and restored to the satisfaction of the City. The need for additional neighbourhood parkland shall be evaluated at that time.

13.3.18.8 Archaeology

(a) The City recognizes that there is demonstrated potential for the presence of significant archaeological sites within the Nash Neighbourhood that remain unidentified. In order to protect those potential archaeological resources, where development projects are proposed that require approval under the Planning Act, the Environmental Assessment Act, the Ontario Heritage Act, the Municipal Act or other legislation, the City of Hamilton shall require archaeological assessments to be undertaken by the proponents in accordance with the Ministry of Culture’s Archaeological Assessment Technical Guidelines as updated. No pre-approved site grading or topsoil disturbance shall be allowed before the assessment has been completed.
b) Where archaeological features are identified, the proponent shall, with the advice of a licensed archaeologist, develop a plan to protect, salvage or otherwise conserve the features within the context of the proposed development.

c) Where practical, the City of Hamilton shall seek to ensure that archaeological sites are left undisturbed. Where there are unavoidable impacts, mitigation through excavation shall be required as a condition of approval. The City of Hamilton shall consult with the Ministry of Culture regarding these matters.

13.3.18.9 Built Heritage

a) In accordance with the Planning Act and the Ontario Heritage Act, Nash Neighbourhood will promote the conservation of significant built heritage resources and cultural heritage landscapes.

b) A Heritage Impact Assessment may be required for any development that proposes to erect, demolish or alter buildings or structures on or adjacent to properties that are:

   i) Designated under the Ontario Heritage Act;

   ii) Listed on the City’s Inventory of Buildings of Architectural and/or Historic Interest; or

   iii) Feature open spaces, vistas or cultural heritage landscapes listed on the City’s Cultural Landscape Resources Inventory.

c) Heritage Impact Assessments, where required, shall be submitted with development or building permit applications and shall be reviewed by the City’s Municipal Heritage Committee.

d) The City may require that, as part of development or redevelopment of land, heritage properties be retained on-site and incorporated, used or adaptively reused as appropriate to the proposed development and land use. Retention of a heritage feature on lands subject to development may be a condition of development approval. Specifically, heritage easements pursuant to the Ontario
Heritage Act, may also be required and negotiated, as well as Development Agreements.

e) In assessing proposals for the construction, demolition or removal of buildings and structures or the alteration of existing buildings within the Nash Neighbourhood, the City of Hamilton shall be guided by the following principles:

i) Heritage buildings, including their surroundings shall be protected from adverse effects of development.

ii) Where practical, original building fabric and architectural features should be retained and repaired.

iii) New additions to heritage buildings should generally be no higher than the existing building and wherever possible, be placed to the rear of the building or setback, substantially away from the principal façade.

f) A Heritage Impact Assessment may be required by the City of Hamilton where the development of lands is considered to adversely affect a heritage building or structure or potential heritage building or structure in the Nash Neighbourhood.

g) The Heritage Impact Statement shall be undertaken by the proponent and shall contain the following:

i) A description of the proposed development;

ii) A description of the heritage feature to be affected by the development;

iii) A description of the effects upon the heritage feature by the proposed development; and

iv) A description of the measure necessary to mitigate the adverse effects of the development upon the heritage feature.

h) Where appropriate, the City of Hamilton shall impose a condition on any development approval for the retention and conservation of the affected heritage feature or the implementation of appropriate mitigation measures.
13.3.18.10 Urban Design

This Secondary Plan incorporates a number of design considerations to take advantage of the unique natural setting and features of the area, to encourage the creation of a distinct community identity, and to promote walking, transit use and connectivity through the development of a safe and attractive pedestrian realm throughout the neighbourhood.

13.3.18.10.1 Streetscape and Built Form

a) All properties abutting a public street shall have the principal façades of buildings facing the street. Back lotting shall not be permitted.

b) Wherever possible the presence of garages on the public street shall be minimized by:

i) Setting them back from the front façade or locating them flush with the front façade of the building;

ii) Locating them at the rear or side of the building by a private lane or driveway;

iii) Minimizing the width of the garage by creating deeper garages to accommodate storage; and

iv) Incorporating varied roof lines, architectural details and porches to emphasize the pedestrian entrance to the building while minimizing the presence of the garage.

c) Architectural variation shall be encouraged through the incorporation of varied roof lines, materials and colours in each building and from building to building.

d) Variation in the number of storeys, porch designs, architecture style and building type from building to building shall be encouraged.

e) Continuous rows of building facades shall be discouraged.

f) Long straight streets shall incorporate appropriate methods that may include landscaped traffic circles and/or medians in order to provide pleasant vistas and traffic calming along the length of the street.
g) Buildings on corner sites shall be encouraged to have façades with architectural details and windows facing both streets.

h) The layout of streets, configuration of lots and the sighting of buildings shall ensure that:

   i) there is no reverse lotting adjacent to streets unless otherwise approved by the City;

   ii) there is generally unobstructed road frontage adjacent to public open spaces;

   iii) streets and open spaces have an appropriate degree of continuity and enclosure, and opportunities are provided for the creation of views both within the community and to adjacent natural heritage and rural areas;

   iv) service and parking facilities are integrated into the design of buildings to minimize disruption to the safety and attractiveness of the adjacent public realm;

   v) pedestrian ease of access and enjoyment of public streets and other outdoor spaces is encouraged; and

   vi) the safety and security for all persons in public places including streets, parks and amenity areas are promoted through the design and sighting of buildings, entrances, walkways, amenity and parking areas to provide visibility and opportunities for informal surveillance.

   i) The design, location and orientation of public and institutional buildings shall be developed in a way that will enhance and promote their landmark status and physical contribution to the neighbourhood.

13.3.18.10.2 In areas designated “Local Commercial” on Schedule “A3-2”:

a) Buildings shall be located close to the street at grade, with main entrances on a street, with barrier free access at street level;
b) Principal entrances shall face the public street or an exterior space directly adjacent and visible from the public street;

c) In order to maintain unimpeded views of the building façade and to enhance a pedestrian oriented environment, parking on corner sites, will be encouraged to locate in the rear yard away from the street;

d) All facades facing a public street shall have window openings directly onto the street;

e) Where possible, combined accesses shall be provided;

f) Loading, service and garbage areas shall be located to minimize their visual impact on the public street; and

g) Loading, service and garbage areas shall be screened with enhanced landscaping and fencing constructed and designed to be in keeping with the design of the building.

13.3.18.10.3 Pedestrian Environment:

In order to encourage connectivity and a safe pedestrian friendly environment, the following policies will apply:

a) Continuous public pedestrian access to the edge of the escarpment shall be provided.

b) Where possible, single loaded scenic streets open to the escarpment lands to the north shall be provided.

c) Open space connections shall be provided for pedestrian access from public streets to trails within other Environmentally Significant Areas and other open spaces.

d) A local road with wide sidewalks and continuous street trees shall be provided from Green Mountain Road north to the neighbourhood park at the north edge of the neighbourhood to create a primary pedestrian route through the site to the escarpment.

13.3.18.10.4 Entrance Features

a) In order to promote and enhance community identity, two entrance features shall be provided in the following locations:
i) First Road West, at or north of the intersection with Green Mountain Road; and

ii) The existing or realigned Green Mountain Road West, West of the intersection with Upper Centennial Parkway.

b) These entrances shall be designed to express the distinct character of the neighbourhood and signal entrance into a pedestrian-friendly area. They shall incorporate enhanced landscaping which may include a central landscape median and/or architectural feature.

13.3.18.10.5 Views and Vistas

a) Where possible, views from the escarpment edge shall be maintained, enhanced and be accessible to the public.

b) Where appropriate, north/south streets shall be oriented and terminated in such a way as to provide visual connections to the escarpment lands.

13.3.18.11 Transportation

a) Schedule “A3-3” identifies the Collector Roads for Nash Neighbourhood.

b) Collector Roads shall be designed within a 20 to 26 metre right-of-way width including sidewalks on both sides of the road and bike lanes. On street parking may be required.

c) The location of on-street parking and on-street bicycle facilities shall be included within collector road right-of-ways as determined by City staff.

d) Traffic calming roundabouts shall be considered at the following intersections and the required road allowance shall be dedicated by the subdivider at the draft plan of subdivision stage:

i) Green Mountain Road and First Road West; and,

ii) Green Mountain Road and the two intersecting north-south roads;

iii) First Road West and the proposed east-west collector road;
iv) First Road West and the sports Park access;
v) The west end of the proposed east-west collector road.

e) Appropriate traffic calming features shall be incorporated into the collector roadway system at locations determined by the City of Hamilton and constructed to the satisfaction of the City at the sole expense of the applicant/developer.

f) Notwithstanding Policy D.3.1.2.16 of the Official Plan, where traffic calming features are proposed, the planned right-of-way widths may be adjusted to accommodate the traffic calming feature.

g) Local roads shall be designed within a 20 metre right-of-way width. Smaller right of way widths may be considered subject to the approval of the City.

h) New development shall support the use of public transit by creating a comfortable pedestrian environment.

i) The City shall provide convenient public transit to development in the Nash Neighbourhood. It is the City’s goal to ensure most dwelling units in the area are within 400 metres walking distance of a transit stop, where permitted by the built pedestrian environment.

j) Public transit shall be accommodated on the primary collector roads. Additional pedestrian walkways may be established to minimize walking distances to existing and potential transit routes. The location and design of pedestrian walkways shall be determined through the draft plan of subdivision approval process.

k) The vertical alignment of Green Mountain Road creates areas of reduced visibility. Road reconstruction to upgrade to an urban cross section and reduce the vertical curvature may be required prior to providing access to adjacent lands and construction of intersecting north south roadways.

l) If the southerly re-alignment of Green Mountain Road will not proceed in a timely matter due to land or other constraints, a temporary traffic signal may be required or other means of traffic control from the Nash Neighbourhood such as medians or diverts to prohibit left turns from Green Mountain Road to Upper Centennial Parkway.
m) First Road West will ultimately be realigned easterly to align with a future road south of Mud Street. The ultimate realignment of this road and the resulting closure of First Road West at Mud Street will be resolved through a Class Environmental Assessment process to the satisfaction of the City of Hamilton pursuant to Policy 13.3.18.15 of this Plan.

n) Where required, the Municipal Class Environmental Assessment (Class EA) process must be completed for traffic calming projects prior to development, to the satisfaction of the City of Hamilton. The Class EA process may be integrated with the Planning Act application approval process.

13.3.18.12 Environment

a) Notwithstanding the policies of Subsection B.1.2 of the Official Plan, the following policies shall apply:

i) No development, except for a low impact trail network (subject to confirmation that a trail is suitable by an Environment Impact Statement), shall be permitted on lands designated Environmentally Significant Areas.

ii) Prior to any lands being considered for development within 100 metres of lands designated Environmentally Significant Area, an Environmental Impact Statement is to be undertaken by the proponent and approved by the City and the Hamilton Conservation Authority to determine the appropriate setbacks from the Environmentally Significant Area.

b) Any development must address the retention of Environmentally Significant Areas and other wooded areas identified on Schedule “A3-2” and Schedule “B” as follows:

i) Wooded areas, including existing “hedgerows” should be maintained, enhanced, and incorporated into the overall design of the neighbourhood where possible. The delineation of the hedgerows shall be identified as part of a development application. Hedgerows are not intended to only be identified by existing mature tree species but shall also include other vegetation which establishes this area as a hedgerow. (A
hedgerow can be defined as a narrow linear strip of trees that defines a laneway or a boundary between fields).

ii) A minimum 10 metre wide planted buffer from identified Environmentally Significant Areas shall be included as part of these natural areas and included as part of the open space system.

iii) A 30 metre wide open space area adjacent to the brow of the Niagara Escarpment Natural Area shall be established. Included in this open space shall be a public trail and may include a portion of a single loaded scenic road to promote public access, views and an open space link. The scenic road shall be located no closer than 15 metres to the brow of the Escarpment. The final location of this road shall be established as part of the processing of a plan of subdivision to the satisfaction of the City and the Niagara Escarpment Commission.

c) Design and construction of new development and redevelopment shall incorporate best practices and appropriate building technology to minimize energy consumption, conserve water, reduce waste and improve air quality.

d) Any plans of subdivision or other development applications in the Nash Neighbourhood shall be accompanied by a noise and vibration report identifying possible effects of the quarrying operation and mitigating measures, if any, which are necessary until the ongoing quarrying operation located west of Upper Centennial Parkway and south of Green Mountain Road ceases.

e) Development proposals for residential or institutional uses located within 500 metres of the Taro East Quarry/Landfill site and former Taro West Quarry/Landfill site may be required to submit studies demonstrating that there are no adverse effects on the development or that the effects can be mitigated. Said studies may include but not be limited to hydrogeology, traffic, air quality, noise, etc. subject to the requirements of the City Hamilton and the Ministry of Environment.
f) Development proposals for land within 150 metres of the Niagara Escarpment shall have a maximum height of no more than 2 storeys. Prior to the approval of a draft plan of subdivision and/or zoning by-law, a visual analysis shall be required to determine the maximum building height and minimum setbacks to ensure that no component of the building mass is visible above the skyline of the Niagara Escarpment from below the Escarpment brow (edge). The visual analysis must be to the satisfaction of the City and the Niagara Escarpment Commission. (Note: the skyline includes the escarpment brow – the uppermost point of the escarpment slope or face, and the tree line. Buildings should not be visible through trees above the brow, the most obvious break in slope associated with underlying bedrock).

g) Felkers Creek is identified in the Davis Creek Subwatershed Study as a watercourse in need of rehabilitation using natural channel design. The lands east of the Felkers Channel, north of Mud Street, is also identified as having medium and low constraint with regards to terrestrial constraints, and is a Tertiary Linkage for terrestrial resources. A minimum 35 metre open space buffer adjacent to Felkers Creek as identified on Schedule “A3-2” is required to facilitate creek restoration works and terrestrial rehabilitation.

13.3.18.13 Infrastructure

a) Where applicable, the Lake based Water/Waste Water Master Plan being completed through the integrated Municipal Class Environmental Assessment (Class EA) process, must be completed to the satisfaction of the City of Hamilton, for municipal infrastructure prior to any development of lands within the Nash Neighbourhood Secondary Plan.

b) Easements shall to be dedicated, as required, to the City to facilitate trunk works required to provide adequate services for the neighbourhood. This may affect road widths to accommodate future servicing.

c) Temporary servicing, where appropriate, may be permitted for interim phasing of the neighbourhood, subject to confirmation of available capacities through engineering studies, all to the satisfaction of the City’s Manager of
d) All development shall proceed on the basis of full municipal services to and from the municipal distribution system.

e) Storm water management ponds shall be set back a minimum distance of 7 metres from the escarpment natural area or escarpment brow whichever is the greater.

f) All stormwater management reports shall be in conformity with the applicable stormwater management studies, including the final Davis Creek Subwatershed Plan, the Stoney Creek Stormwater Quality Master Plan and/or the City’s Master Stormwater Management Plan.

g) The final design configuration and landscaping details of stormwater management ponds shall be undertaken through the draft plan of subdivision process or Class Environmental Assessment process.

h) Native vegetation should be used within and adjacent to the ponds to incorporate a natural design which reflects the surrounding area. A storm water report will be required as part of the plan of subdivision application. This plan shall be reviewed by the appropriate agencies including but not limited to the City, the Hamilton Conservation Authority and the Niagara Escarpment Commission.

i) Approval of a storm water management report shall be required as part of the plan of subdivision approval process.

13.3.18.14 Utilities

a) Utility services shall be permitted in all land use designations, except Open Space, and Environmentally Significant Areas, Hazard Lands or Escarpment Natural Area designations where exceptions will only be permitted in limited circumstances where deemed necessary by the City and subject to detailed engineering designs to be approved by the City.

b) Prior to approval of development within the Nash Neighbourhood Secondary Plan area, all interested utilities and telecommunications providers are to confirm if services
can be provided to support the proposed development; and shall determine appropriate locations for large utility equipment or utility cluster sites, and that they can be phased in a way that is cost effective and efficient.

c) Public and private utilities shall be:

   i) Installed, wherever possible, within public road allowances or within appropriate easements;

   ii) Clustered or grouped where possible to minimize visual impact and are encouraged to consider innovative methods of containing utilities and telecommunication infrastructure (i.e. gateways, lamp posts, transit shelters, etc); and

   iii) located within an initial common trench, wherever possible to avoid unnecessary over digging and disruption of municipal rights-of-way.

d) Consideration shall be given to the location of utilities within public rights-of-way as well as on private property.

13.3.18.15 Implementation

In addition to the policies identified in Section F, “Implementation” of the Official Plan, the following policies shall apply:

a) Prior to any development occurring within the Nash Neighbourhood, a traffic study shall be required, to the satisfaction of the General Manager of Public Works, to determine the adequacy of the following intersections and roads:

   i) the intersection of Mud Street West and First Road West;
   ii) the intersection of Upper Centennial Parkway and Green Mountain Road;
   iii) First Road West; and
   iv) Green Mountain Road
to accommodate the ultimate development proposed within the Nash Neighbourhood and assess the potential roundabouts and other traffic calming measures within the Nash Neighbourhood.

b) The recommendations of the Traffic Study noted in Policy 13.3.18.15 a) above shall be implemented at the expense of the developer.

c) New municipal roads may be subject to the Municipal Engineers Association (MEA) Municipal Class Environmental Assessment document (June 2000). All Class EA requirements must be fulfilled prior to development approval by Hamilton City Council.

d) Following the closure of the former Taro East Quarry/Landfill identified as Special Policy Area “B” on Schedule “A” and “A3-2”, the City of Hamilton shall undertake a Class EA pursuant to the provisions of the Environmental Protection Act, to determine the feasibility of and requirements for the proposed realignment of:

i) First Road West, north of Mud Street and the proposed closure of First Road West at Mud Street West; and

ii) Green Mountain Road at Centennial Parkway and the proposed closure of Green Mountain Road at Centennial Parkway.

e) Lands intended for residential use within 160 metres of the working licensed limits of an active quarry or the limits of a former quarry under rehabilitation shall be placed in a Holding Zone in accordance with Subsection F.4 of this Plan. The Holding Zone will not be removed for those lands immediately adjacent to the quarry properties, until such time as the completion of mining and the completion of rehabilitation on quarry lands immediately adjacent to the Residential Holding Zone.
Implementation:

An implementing Zoning By-law will give effect to this Amendment.

This is Schedule 1 to By-law No. _____ passed on the __ day of August, 2006.

The
City of Hamilton

__________________________          ____________________________
Mayor                                  City Clerk
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NASH NEIGHBOURHOOD
SECONDARY PLAN

Introduction:

The following text and Schedule A: Land Use Plan, attached hereto, constitute the Nash Neighbourhood Secondary Plan as established by Official Plan Amendment No. XX to the City of Stoney Creek Official Plan.

Purpose:

The purpose of this Secondary Plan is to establish land uses, the basic transportation network, community facilities, infrastructure requirements and development standards to guide the development/and or redevelopment of lands located in the Nash Neighbourhood. At the same time, the Secondary Plan provides protection to the Neighbourhood’s natural areas and environmental resources.

It is anticipated that the Secondary Plan area will accommodate approximately 3,600 dwelling units and approximately 9,600 residents, when development has been completed.

The Secondary Plan provides a detailed land use plan and related policies for the regulation of land use and development of the Secondary Plan area in accordance with the applicable policies of the Official Plan of the former City of Stoney Creek.

The Secondary Plan will provide a guide plan for the next 20 years, and will be subject to amendments and review as may be required during this time frame.

Location:

The Nash Neighbourhood is approximately 370 hectares in area and is situated east of Felkers Creek, south of the Niagara Escarpment, west of Upper Centennial Parkway, and north of Mud Street West, within the former City of Stoney Creek.

Basis:

The Nash Neighbourhood Secondary Plan is intended to be consistent with the goals and objectives and land use designations set out in the Official Plan for Hamilton. In the event of a conflict between the Secondary Plan and other policies in the Official Plan, the policies and designations in the Secondary Plan as they relate to the Nash Neighbourhood shall prevail.
Vision:

The vision for the Nash Neighbourhood is of a new urban community comprised of high quality residential neighbourhoods and institutional uses, providing opportunities for a variety of housing types, educational and recreational activities. The community will feature attractive public spaces, namely parks and streetscapes, an enhanced association with the natural environment which will encourage pedestrian activity and cycling.

Planning Principles:

The planning process for Nash Neighbourhood was guided by principles that emerged from public consultation in the initial phase of the study and which balance the aspirations of the City. The principles reflect and build upon many of the City’s Vision 2020 goals for creating a healthy and sustainable city. They are the foundation for this Secondary Plan. As such, they provide important criteria against which future initiatives and proposals for the area will be evaluated to help ensure the broad public objectives for the Nash Neighbourhood are realized.

- Provide safe, continuous public access throughout the community and with adjacent neighbourhoods

The opportunity exists to create new pedestrian linkages throughout the new community as well as with the existing subdivision directly south of the study area. The pedestrian network will be a series of linked walkways, recreational trails and pathways throughout the community that will act as a cohesive element for the community.

Along First Road West, north of Green Mountain Road, a “Gateway Road” concept shall be developed. This “Gateway” should reinforce the unique character of this community. This road should integrate both recreational trails for pedestrians as well as bicycles into the transportation framework of the community.

A more balanced multi-modal transportation system will be promoted where public transit, cycling, and walking have a significant role.

The structure of the community shall be based on a modified grid pattern of streets that maximizes connectivity and permeability while respecting the natural topography of the land.

- Promote the integration of new parks and open space with existing natural spaces

The placement of new parks and open spaces should integrate with existing natural spaces and provide new passive and recreational resources and destinations. New parks in the community should be located such that they act as linkages that serve to
reinforce the network of open spaces. These natural amenities act as generators for the open space linkages. The location of proposed open spaces within the new community shall connect and integrate with existing natural amenities to create an interconnected system of parks and open space. The interconnectedness of these passive and recreational spaces allows users to fully participate within the community and contribute to the development and integration of these natural resources as destinations within the community.

- **Celebrate the City’s natural and built heritage**

The City of Hamilton possesses a variety of heritage features. Hamilton’s cultural heritage comprises those properties, structures, sites or areas within the City of Hamilton that are of historical, architectural, archaeological, scenic value and/or intangible interest. It is the policy of the City to identify, protect, conserve and manage wisely the tangible and intangible cultural heritage of the City of Hamilton for present and future generations.

The City also possesses a variety of natural heritage features such as Environmentally Significant Areas, woodlots and wetlands. The Nash Neighbourhood is located within the Davis Creek and Battlefield Creek subwatersheds. A tributary of Davis Creek crosses the west side of the neighbourhood and Battlefield Creek crosses the east side. The Niagara Escarpment and Nash Woodlot are two major natural features found within the Nash Neighbourhood. Abutting the planning area is the Felker’s Falls Escarpment, an Environmentally Significant Area of approximately 22 acres including Felker’s Falls, a waterfall and plunge pool created by Davis Creek as it crosses the Escarpment. These natural heritage elements should be considered for integration into the community. These elements would add to the unique character and quality of the new community as a relic representative of the area.

- **Enhance physical and visual connections to the Niagara Escarpment and Environmentally Significant Areas**

There are several areas within the site that provide short and long panoramic views to the Niagara Escarpment. The layout and design of the community should also take into account the preservation and integration of the vistas and views to areas of visual interest. The location and placement of park/open space blocks should take full advantage and enhance these visual opportunities. There are several areas within the site where the natural topography provides obvious vantage points from within the site. The opportunity that these high points present should be fully explored.

Where feasible, the streetscape should assist in the preservation of views through the new community, and should frame and highlight key elements within the community. The street pattern should also enhance physical connections to the Niagara Escarpment and Environmentally Significant Areas.
Ecological linkages should be enhanced as they also provide for opportunities for plant and wildlife movement, a healthy ecosystem and recreational opportunities. These linkages should be improved by enhancing connectivity through land use planning.

- **Promote a mix of built form**

The community must include a mixture of land uses, including a full range and mix of housing types. All built form must be designed at a human scale and the neighbourhood should include a variety of streets and streetscapes that are appropriate to adjacent land use activities.

- **Promote the Rehabilitation of former Quarries/Landfills**

The former Taro East and West Quarry/Landfill sites located north of Mud Street and west of Centennial Parkway shall be rehabilitated to provide for future recreational development. Prior to residential or other sensitive land uses being developed within 500 metres of these lands, further studies will be required demonstrating that there are no adverse effects on the development or that the effects can be mitigated.
1.0 OBJECTIVES:

The objectives provide the framework for the planning and development of the Secondary Plan Area by both the public and private sectors. The objectives will be implemented by the mechanisms set out in this Secondary Plan and the Official Plan.

1.1 Land Use

1.1.1 To ensure the Neighbourhood is developed with a compact urban form at an appropriate scale that is pedestrian-oriented and fosters community interaction.

1.1.2 To promote development at densities suitable to support the public transit network.

1.1.3 To create a sense of identity and continuity through design.

1.1.4 To encourage energy conservation through community and site planning and urban design.

1.1.5 To conserve built heritage including buildings and structures in accordance with the *Ontario Heritage Act*.

1.1.6 To ensure the development of an attractive, compact, safe and pedestrian oriented urban environment, including a high quality of design for public parks and open spaces, appropriate streetscape standards, the development of attractive buildings and appropriate relationships between buildings and streets, parks and other public spaces, and compatibility between areas of different land use or development intensity.

1.2 Residential Development

1.2.1 To create a residential community with a safe, healthy and functional environment that can accommodate approximately 9600 people (based on about 3600 dwelling units).

1.2.2 To ensure that opportunities for a full range and mix of low, medium and high density housing are provided within the Neighbourhood.
1.3 **Major Institutional Development**

1.3.1 To accommodate facilities for public use, including health and community uses.

1.3.2 To integrate institutional uses with the residential community

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1.4 **Open Space and Environmental Features**

1.4.1 To establish a network of connected open space accessible to all residents with natural and cultural features integrated into open space areas and providing a strong link to the open space associated with the Niagara Escarpment and Environmentally Significant Areas.

1.4.2 To create open spaces with a clear function and relationship to the Community.

1.4.3 To ensure the preservation and enhancement of significant environmental features, including the Niagara Escarpment, Environmentally Significant Areas, and the valley lands associated with Felker's Creek.

1.4.4 To promote community health through a system of non-vehicular trail connections through the new community with linkages to surrounding lands.

1.4.5 To provide opportunities for recreation where they do not impact natural heritage features.

1.4.6 To conserve the natural beauty and distinctive character of the Niagara Escarpment landscape.

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1.5 **Transportation**

1.5.1 To develop a land use pattern and transportation system that supports vehicular traffic, transit, cyclists and pedestrians.

1.5.2 To achieve a street network that is generally laid out in a modified grid pattern that maximizes connectivity to and within the neighbourhood so that there are alternate vehicular and pedestrian routes to most destinations.

1.5.3 To design streets at a pedestrian scale, that are attractive public spaces while still serving vehicular traffic functions.
1.5.4 To ensure that all new development is designed to facilitate efficient and effective public transportation operations.

1.6 Heritage

1.6.1 To identify and protect historically or architecturally significant buildings.

1.6.2 To ensure the appropriate management, conservation, mitigation or preservation of archaeological resources.

1.7 Services

1.7.1 To ensure that all new development occurs on the basis of full urban water and sanitary sewer facilities.

1.7.2 To design and implement a stormwater management system that is integrated with the open space system and which mitigates impacts on the natural environment.

1.7.3 To ensure that the necessary infrastructure and services are in place to facilitate the timely and orderly development of the community.

1.8 Finance

1.8.1 To ensure the costs of services and facilities required to permit and support the development of the community are financed in accordance with:

- The ability of the municipality and the landowners to pay;
- The provisions of the Development Charges Act, and;
- The Development Charges by-law adopted by the City.
2.0 POLICIES

The policies in this section address land uses and other matters common to all parts of the Nash Neighbourhood study area and are intended to ensure all future planning and development in the area addresses issues and opportunities best viewed from a city-wide perspective.

2.1 General Policies

2.1.1 The Nash Neighbourhood is comprised of the lands situated east of Felker Creek, south of the Niagara Escarpment, west of Upper Centennial Parkway, and north of Mud Street West within the former City of Stoney Creek, as depicted on Schedule A.

2.1.2 Schedule A Land Use Plan and Schedule B Road Classification shows the pattern of land use and schematic transportation network for the entire Nash Neighbourhood.

2.1.3 Schedules A and B provide schematic information and may be subject to minor adjustments during the plan of subdivision and/or site plan approval processes without the need for an amendment to this Secondary Plan, provided that the change is consistent with the general intent of the Plan and its fundamental principles are maintained to the satisfaction of the City.

2.1.4 The Community Structure Plan for the Nash Neighbourhood attached to this Secondary Plan as Appendix I, demonstrates a conceptual structure and general form of development, including a potential local road network that reflect the intent and objectives of this Secondary Plan. The Community Structure Plan will serve as a general guide to the City in the review of applications for plan of subdivision and/or site plan approval. Deviations from the Community Structure will be accepted by the City where it can be demonstrated that the intent and objectives of this Secondary Plan are met in a similar or superior manner.

2.1.5 Development within the Nash Neighbourhood is intended to provide a mix of housing opportunities in terms of lot size, unit size, style and tenure that are suitable for different age levels, income groups, lifestyles, and household structures.
2.1.6 In an effort to make best use of lands currently located within the City’s urban boundary, higher densities will be encouraged throughout this neighbourhood. This can be achieved through the provision of smaller lots in interior locations and higher density developments located at external locations within the neighbourhood.

2.1.7 All development within the Secondary Plan area shall be planned and zoned on a comprehensive basis and shall consider impacts on natural features and shall be compatible with adjacent development.

2.2 Residential

The Nash Neighbourhood community will be primarily a residential area that includes a wide range and mix of housing types. The residential policies define the location and scale of each type of residential use, and will help to ensure that a variety of housing types are provided to meet the requirements of the City and Provincial policy and the needs of future residents.

2.2.1 LOW DENSITY RESIDENTIAL

2.2.1.1 The Low Density Residential designation shall permit single detached, semi-detached, duplex and street townhouses.

2.2.1.2 The density of development shall range from 20 to 35 units per net residential hectare.

2.2.1.3 The maximum height of dwelling units shall be no more than 3 storeys.

2.2.1.4 Other forms of low density housing may be considered where neighbourhood compatibility can be demonstrated to the satisfaction of the City. Their appropriateness will be evaluated in terms of protection of natural vegetation, lot frontages and areas, building height, coverage, mass, setbacks, and privacy; and,

2.2.1.5 The location of Low Density Residential is to be at the interior of residential neighbourhoods adjacent to local and/or collector roads.
2.2.2 MEDIUM DENSITY RESIDENTIAL 1

2.2.2.1 The *Medium Density Residential 1* designation shall permit street and block townhouses, duplexes, triplexes and quadraplexes.

2.2.2.2 The density of development shall be in the range of 30-49 units per net residential hectare.

2.2.2.3 The maximum height of dwelling units shall be 3 storeys.

2.2.2.4 Detached and semi-detached dwellings will be allowed within this designation, provided the density falls within the density specified for Medium Density Residential 1.

2.2.2.5 The location of Medium Density Residential 1 shall generally be at the periphery of residential neighbourhoods adjacent to or close to arterial and/or collector roads.

2.2.3 MEDIUM DENSITY RESIDENTIAL 2 (Street Related)

In addition to the policies in Section 2.2.2, the following policies shall apply to lands designated *Medium Density Residential 2*:

2.2.3.1 The location of lands designated *Medium Density Residential 2* shall generally be at the periphery of residential neighbourhoods and adjacent to or close to arterial and/or collector roads;

2.2.3.2 Individual driveways shall not be permitted to directly access the public street. Individual vehicular access shall be provided by one of the following:

   a) A private lane parallel to the public road in front of the buildings separated from the public street by an enhanced continuous landscape strip; or,

   b) A private lane behind the buildings.
2.2.3.3 Buildings shall be located as close to the street as possible while still allowing for front porches, stairs and a small landscaped area; or other appropriate methods that would achieve the desired effect would also be considered.

2.2.4 MEDIUM-HIGH DENSITY RESIDENTIAL

2.2.4.1 The Medium-High Density Residential designation shall permit apartment buildings and street and block townhouses, provided that heights do not exceed 8 storeys;

2.2.4.2 The density of development shall be in the range of 50-99 per net residential hectare;

2.2.4.3 The location of land designated Medium-High Density Residential is to be adjacent to or in close proximity to collector roads, community park facilities and open space areas.

2.2.5 NET RESIDENTIAL DENSITY

For the purpose of this Secondary Plan, Net Residential Density refers to the number of dwelling units per Net Residential Hectare of any particular development. In the case of single detached, duplex, street townhouses and semi-detached dwellings, Net Residential Hectare includes only the land for residential lots and excludes lands for public roads, public parks and hazard lands. In the case of any other housing form other than single detached, duplex, street townhouses or semi-detached dwellings, Net Residential Density includes the lands for dwellings, private internal roads, parking areas, open space and other associated amenities directly related to and forming part of the private development.

2.3 Commercial

2.3.1 GENERAL COMMERCIAL

In addition to the General Commercial Policies of the Stoney Creek Official Plan, the following General Commercial policy shall apply:
2.3.1.1 Where possible, combined accesses shall be provided.

2.3.2 LOCAL COMMERCIAL

2.3.2.1 Land designated Local Commercial shall include uses serving the daily retail needs of surrounding residents, and which uses are primarily dependent upon pedestrian access are permitted. Small retail stores and restaurants, personal service shops, professional offices and similar commercial uses of essentially a neighbourhood nature, including residential units as accessory uses, are permitted;

2.3.2.2 Auto-oriented commercial uses, such as drive-through establishments, gas stations and auto repair garages are not permitted;

2.3.2.3 The maximum height of buildings shall be 3 storeys;

2.3.2.4 Where possible, combined accesses shall be provided;

2.3.2.5 The maximum gross floor area of any individual commercial establishment shall be 500 square metres and the maximum gross floor area of any group of detached local commercial uses shall be 1500 square metres; and

2.3.2.6 Adequate off street parking shall be provided.

2.4 Institutional

Schools and ancillary uses and facilities normally accessory to schools are permitted in accordance with Subsection A.5, “Institutional” of the Stoney Creek Official Plan. In addition to Policies A.5.2.7 and A.1.2.17, should those lands designated for a school site not be required for schools then the lands may be developed for Low or Medium Density Residential and/or Park purposes without further amendment to this plan.
2.5 Parks and Open Space

2.5.1 The open space system for the Nash Neighbourhood includes the following components shown on Schedule “A”:

i. open space

ii. neighbourhood parks

iii. The Niagara Escarpment

iv. Environmentally Significant Areas

v. hedgerow features; and

vi. Trails.

2.5.2 The primary uses permitted shall be in accordance with Subsection A.7, “Open Space” in the Stoney Creek Official Plan.

2.5.3 Notwithstanding Policy A.7.2.4 of the Official Plan, Neighbourhood Parks shall serve the local neighbourhood needs of 0.7 hectares per 1,000 population; however, any one site shall have a minimum area of approximately 2.0 hectares.

2.5.4 Multi-purpose trails shall be established in the linked open space system pursuant to the approved Hamilton Trails Master Plan and as identified on Schedule A. Every effort shall be made to connect the new trails to existing and planned trails in and around the neighbourhood. The trails shall be established through the approval of plans of subdivision and development agreements.

2.5.5 The former Taro Quarry West lands designated Open Space located west of First Road West, between Mud Street West and the Heritage Green Community Park and east of the unopened road allowance are ultimately intended for open space and/or recreational use and may include a golf course. In accordance with Stoney Creek Official Plan Policy F.4.3 and Section 45 of the Environmental Protection Act, the Zoning By-law shall impose a Holding Zone in conjunction with a lands use category on these lands until the mineral aggregate extraction site has been rehabilitated and restored to the satisfaction of the City. The need for additional neighbourhood parkland shall be evaluated at that time.
2.6 Archaeology

2.6.1 The City recognizes that there is demonstrated potential for the presence of significant archaeological sites within the Nash Neighbourhood that remain unidentified. In order to protect those potential archaeological resources, where development projects are proposed that require approval under the Planning Act, the Environmental Assessment Act, the Ontario Heritage Act, the Municipal Act or other legislation, the City of Hamilton shall require archaeological assessments to be undertaken by the proponents in accordance with the Ministry of Culture’s Archaeological Assessment Technical Guidelines, as updated. No pre-approved site grading or topsoil disturbance shall be allowed before the assessment has been completed.

2.6.2 Where archaeological features are identified, the proponent shall, with the advice of a licensed archaeologist, develop a plan to protect, salvage or otherwise conserve the features within the context of the proposed development.

2.6.3 Where practical, the City of Hamilton shall seek to ensure that archaeological sites are left undisturbed. Where there are unavoidable impacts, mitigation through excavation shall be required as a condition of approval. The City of Hamilton shall consult with the Ministry of Culture regarding these matters.

2.7 Built Heritage

2.7.1 In accordance with the Planning Act and the Ontario Heritage Act, the Nash Neighbourhood will promote the conservation of significant built heritage resources and cultural heritage landscapes.

2.7.2 A Heritage Impact Assessment may be required for any development that proposes to erect, demolish or alter buildings or structures on or adjacent to properties that are:

i) Designated under the Ontario Heritage Act;

ii) Listed on the City’s Inventory of Buildings of Architectural and/or Historic Interest;
iii) Feature open spaces, vistas or cultural heritage landscapes listed on the City’s Cultural Landscape Resources Inventory.

2.7.3 Heritage Impact Assessments, where required, shall be submitted with development or building permit applications and shall be reviewed by the City’s Municipal Heritage Committee.

2.7.4 The City may require that, as part of development or redevelopment of land, heritage properties be retained on-site and incorporated, used or adaptively reused as appropriate to the proposed development and land use. Retention of a heritage feature on lands subject to development may be a condition of development approval. Specifically, heritage easements pursuant to the *Ontario Heritage Act* may also be required and negotiated, as well as Development Agreements.

2.7.5 In assessing proposals for the construction, demolition or removal of buildings and structures or the alteration of existing buildings within the Nash Neighbourhood, the City of Hamilton shall be guided by the following principles:

i) Heritage buildings, including their surroundings where appropriate, shall be protected from adverse effects of development;

ii) Where practical, original building fabric and architectural features should be retained and repaired; and,

iii) New additions to heritage buildings should generally be no higher than the existing building and wherever possible, be placed to the rear of the building or setback, substantially away from the principal façade.

2.7.6 A Heritage Impact Assessment may be required by the City of Hamilton where the development of lands is considered to adversely affect a heritage building or structure or potential heritage building or structure in the Nash Neighbourhood.

2.7.7 The Heritage Impact Assessment shall be undertaken by the proponent and contain the following:

i) A description of the proposed development;
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ii) A description of the heritage feature to be affected by the development;

iii) A description of the effects upon the heritage feature by the proposed development; and

iv) A description of the measure necessary to mitigate the adverse effects of the development upon the heritage feature.

2.7.8 Where appropriate, the City of Hamilton may impose a condition on any development approval for the retention and conservation of the affected heritage feature or the implementation of appropriate mitigation measures.

2.8 Urban Design

This Secondary Plan incorporates a number of design considerations to take advantage of the unique natural setting and features of the area, to encourage the creation of a distinct community identity, and to promote walking, transit use and connectivity through the development of a safe and attractive pedestrian realm throughout the neighbourhood.

2.8.1 NEIGHBOURHOOD STREETSCAPE AND BUILT FORM

2.8.1.1 All properties abutting a public street shall have the principal façades of buildings facing the street. Back lotting shall not be permitted.

2.8.1.2 Where possible the presence of garages on the public street shall be minimized as follows:

i. Setting them back from the front façade or locating them flush with the front façade of the building;

ii. Locating them at the rear or side of the building by a private lane or driveway;

iii. Minimizing the width of the garage by creating deeper garages to accommodate storage; and

iv. Incorporating varied roof lines, architectural details and porches to emphasize the pedestrian
Architectural variation shall be encouraged through the incorporation of varied roof lines, materials and colours in each building and from building to building.

Variation in the number of stories, porch designs, architecture style and building type from building to building shall also be encouraged. Continuous rows of building facades shall be discouraged.

Long straight streets shall incorporate appropriate methods that may include landscaped traffic circles and/or medians in order to provide pleasant vistas and traffic calming along the length of the street.

Buildings on corner sites shall be encouraged to have façades with architectural details and windows facing both streets.

The layout of streets, configuration of lots and the siting of buildings shall ensure that:

i. there is no reverse lotting adjacent to streets unless otherwise approved by the City;

ii. there is generally unobstructed road frontage adjacent to public open spaces;

iii. streets and open spaces have an appropriate degree of continuity and enclosure, and opportunities are provided for the creation of views both within the community and to adjacent natural heritage and rural areas;

iv. service and parking facilities are integrated into the design of buildings to minimize disruption to the safety and attractiveness of the adjacent public realm;

v. pedestrian ease of access and enjoyment of public streets and other outdoor spaces is encouraged; and,
vi. the safety and security for all persons in public places including streets, parks and amenity areas are promoted through the design and siting of buildings, entrances, walkways, amenity and parking areas to provide visibility and opportunities for informal surveillance.

2.8.1.8 The design, location and orientation of public and institutional buildings shall be developed in a way that will enhance and promote their landmark status and physical contribution to the neighbourhood.

2.8.2 LOCAL COMMERCIAL AREAS

2.8.2.1 Buildings shall be located close to the street at grade, with main entrances on a street, with barrier free access at street level;

2.8.2.2 Principal entrances shall face the public street or an exterior space directly adjacent and visible from the public street;

2.8.2.3 In order to maintain unimpeded views of the building façade and to enhance a pedestrian-oriented environment, parking on corner sites will be encouraged to locate in the rear yard away from the street;

2.8.2.4 All facades facing a public street shall have window openings directly onto the street;

2.8.2.5 Where possible, combined accesses shall be provided;

2.8.2.6 Loading, service and garbage areas shall be located to minimize their visual impact on the public street; and,

2.8.2.7 Service and loading areas shall be screened with enhanced landscaping and fencing constructed and designed to be in keeping with the design of the building.
2.8.3 PEDESTRIAN ENVIRONMENT

In order to encourage connectivity and a safe pedestrian friendly environment, the following will apply:

2.8.3.1 Continuous public pedestrian access to the edge of the escarpment shall be provided.

2.8.3.2 Where possible, single loaded scenic streets open to the escarpment lands to the north shall be provided.

2.8.3.3 Open space connections shall be provided for pedestrian access from public streets to trails within other Environmentally Significant Areas and other open spaces.

2.8.3.4 A local road with sidewalks and continuous street trees shall be provided from Green Mountain Road north to the park at the north edge of the neighbourhood to create a primary pedestrian route through the site to the escarpment.

2.8.4 ENTRANCE FEATURES

2.8.4.1 In order to promote and enhance community identity, entrance features shall be provided in the following locations:

i. First Road West, at or directly north of the intersection with Green Mountain Road; and,

ii. The existing or future realigned Green Mountain Road, west of the intersection with Upper Centennial Parkway.

2.8.4.2 These entrances shall be designed to express the distinct character of the neighbourhood and signal entrance into a pedestrian-friendly area. They shall incorporate enhanced landscaping which may include a central landscape median and/or architectural feature.
2.8.5 VIEWS AND VISTAS

2.8.5.1 Where possible, views from the escarpment edge shall be maintained, enhanced and be accessible to the public.

2.8.5.2 Where appropriate, north/south streets shall be oriented and terminated in such a way as to provide visual connections to the escarpment lands.

2.9 Transportation

2.9.1 Schedule B – Road Classification Plan identifies the Collector Roads for Nash Neighbourhood.

Collector Roads

2.9.2 Collector Roads shall be designed within a 20 to 26 metre right-of-way width including:
   i. sidewalks on both sides of the road
   ii. bike lanes; and
   iii. on-street parking, where required.

2.9.3 The location of on-street parking and on-street bicycle facilities shall be included within collector road right-of-ways as determined by City staff.

2.9.4 Traffic calming roundabouts shall be considered at the following intersections and the required road allowance shall be dedicated by the subdivider at the draft plan of subdivision stage:

   i) Green Mountain Road and First Road West;
   ii) Green Mountain Road and the two intersecting north-south roads;
   iii) First Road West and the proposed east-west collector road;
   iv) First Road West and the sports Park access;
   v) The west end of the east-west collector road.

2.9.5 Appropriate traffic calming features shall be incorporated into the collector roadway system at locations determined by the City of Hamilton and constructed to the satisfaction of the City at the sole expense of the applicant/developer.
2.9.6 Notwithstanding Policy D.3.1.2.16 of the Stoney Creek Official Plan, where traffic calming features are proposed, the planned right of way widths may be adjusted to accommodate the traffic calming feature.

Local Roads

2.9.7 Local roads shall generally be designed within a 20 metre right-of-way width. Smaller right of way widths may be considered subject to the approval of the City.

Public Transit

2.9.8 New development shall support the use of public transit by creating a comfortable pedestrian environment.

2.9.9 The City shall provide convenient public transit to development in the Nash Neighbourhood. It is the City’s goal to ensure most dwelling units in the area are within 400 metres walking distance of a transit stop, where permitted by the built pedestrian environment.

2.9.10 Public transit shall be accommodated on the collector roads. Additional pedestrian walkways may be established to minimize walking distances to existing and potential transit routes. The location and design of pedestrian walkways shall be determined through the draft plan of subdivision approval process.

Green Mountain Road

2.9.11 The vertical alignment of Green Mountain Road at Upper Centennial Parkway creates areas of reduced visibility. Road reconstruction to upgrade to an urban cross section and reduce the vertical curvature may be required prior to providing access to adjacent lands on the west side of Upper Centennial Parkway.

2.9.12 If the southerly re-alignment of Green Mountain Road does not proceed in a timely manner due to land or other constraints, a temporary traffic signal may be required or other means of traffic control from the Nash Neighbourhood such as medians or diverts to prohibit left turns from Green Mountain Road to Upper Centennial Parkway.

First Road West

2.9.13 First Road West will ultimately be realigned easterly to align with a future road south of Mud Street. The ultimate realignment of this road and the resulting closure of First Road
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West at Mud Street will be resolved through a Class Environmental Assessment process to the satisfaction of the City of Hamilton pursuant to Policy 3.2.2 of this Secondary Plan.

Municipal Class Environmental Assessment Process

2.9.14 Where required, the Municipal Class Environmental Assessment (Class EA) process must be completed for traffic calming projects prior to development, to the satisfaction of the City of Hamilton. The Class EA process may be integrated with the Planning Act application approval process.

2.10 Environment

Notwithstanding the policies of Section B,1.2 of the Stoney Creek Official Plan, the following policies shall apply:

2.10.1 No development except for a low impact trail network (subject to confirmation that a trail is suitable by an Environment Impact Statement), shall be permitted on lands designated Environmentally Significant Areas.

2.10.2 Prior to any lands being considered for development within 100 metres of lands designated Environmentally Significant Area, an Environmental Impact Statement is to be undertaken by the proponent and approved by the City and the Hamilton Conservation Authority to determine the appropriate setbacks from the Environmentally Significant Area.

2.10.3 Any development must address the retention of Environmentally Significant Areas and other wooded areas identified on Schedule “A” and Schedule “B” as follows:

i. Wooded areas including existing “hedgerows” should be maintained, enhanced, and incorporated into the overall design of the neighbourhood where possible. The delineation of the hedgerows will be identified as part of a development application. Hedgerows are not intended to only be identified by existing mature tree species but shall also include other vegetation which establishes this area as a hedgerow. (A hedgerow can be defined as a narrow linear strip of trees that defines a laneway or a boundary between fields); and/or,
ii. A minimum 10 metre wide planted buffer from identified Environmentally Significant Areas shall be included as part of these natural areas and included as part of the public open space system.

iii. A 30 metre wide buffer area adjacent to the brow of the Niagara Escarpment Natural Area in accordance with Policy A.8.2.3 of Subsection “A.8” Escarpment Natural Area of the Stoney Creek Official Plan. Included in this open space shall be a public trail and may include a portion of a single loaded scenic road to promote public access, views and an open space link. The scenic road shall be located no closer than 15 metres to the brow of the Escarpment. The final location of this road shall be established as part of the processing of a plan of subdivision to the satisfaction of the City and the Niagara Escarpment Commission.

2.10.4 Design and construction of new development and redevelopment shall incorporate best practices and appropriate building technology to minimize energy consumption, conserve water, reduce waste and improve air quality.

2.10.5 Any plans of subdivision or other development applications in the Nash Neighbourhood shall be accompanied by a noise and vibration report identifying possible effects of the quarrying operation and mitigating measures, if any, which are necessary until the ongoing quarrying operation located west of Upper Centennial Parkway and south of Green Mountain Road ceases.

2.10.6 Development proposals for residential or institutional uses located within 500 metres of the Taro East Quarry/Landfill site and former Taro West Quarry/Landfill site may be required to submit studies demonstrating that there are no adverse effects on the development or that the effects can be mitigated. Said studies may include but not be limited to hydrogeology, traffic, air quality, noise, etc. subject to the requirements of the City Hamilton.

2.10.7 Development proposals for lands within 150 meters of the Niagara Escarpment shall have a maximum height of no more than 2 stories. Prior to the approval of a draft plan of subdivision and/or zoning by-law, a visual analysis shall be required to determine the maximum building height and
minimum setbacks to ensure that no component of the building mass is visible above the skyline of the Niagara Escarpment from below the Escarpment brow (edge). The visual analysis must be to the satisfaction of the City and the Niagara Escarpment Commission. (Note: the skyline includes the escarpment brow – the uppermost point of the escarpment slope or face, and the tree line. Buildings should not be visible through trees above the brow, the most obvious break in slope associated with the underlying bedrock).

2.10.8 Felker’s Creek is identified in the Davis Creek Subwatershed Study as a watercourse in need of rehabilitation using natural channel design. The lands east of the Felker’s Channel, north of Mud Street, is also identified as having medium and low constraint with regards to terrestrial constraints, and is a Tertiary Linkage for terrestrial resources. A minimum 35 meter open space buffer adjacent to Felker’s Creek as identified on Schedule A is required to facilitate creek restoration works and terrestrial rehabilitation.

2.11 Infrastructure

2.11.1 Where applicable, the Lake based Water/Waste Water Master Plan being completed through the integrated Municipal Class Environmental Assessment (Class EA) process, must be completed to the satisfaction of the City of Hamilton, for municipal infrastructure prior to any development of lands within the Nash Neighbourhood Secondary Plan.

2.11.2 Easements shall to be dedicated, as required, to the City to facilitate trunk works required to provide adequate services for the neighbourhood. This may affect road widths to accommodate future servicing.

2.11.3 Temporary servicing, where appropriate, may be permitted for interim phasing of the neighbourhood, subject to confirmation of available capacities through engineering studies, all to the satisfaction of the City’s Manager of Development Engineering in consultation with the Department of Public Works.

2.11.4 All development shall proceed on the basis of full municipal services to and from the municipal distribution system.

2.11.5 Storm water management ponds shall be set back a minimum distance of 7 metres from the escarpment natural area or escarpment brow whichever is the greater.
2.11.6 All stormwater management reports shall be in conformity with the applicable stormwater management studies, including the final Davis Creek Subwatershed Plan, the Stoney Creek Stormwater Quality Master Plan and/or the City’s Master Stormwater Management Plan.

2.11.7 The final design configuration and landscaping details of stormwater management ponds shall be undertaken through the draft plan of subdivision process or Class Environmental Assessment process.

2.11.8 Native vegetation should be used within and adjacent to the ponds to incorporate a natural design which reflects the surrounding area. A storm water report will be required as part of the plan of subdivision application. This plan shall be reviewed by the appropriate agencies including but not limited to the City, the Hamilton Conservation Authority and the Niagara Escarpment Commission.”

2.11.9 Approval of a storm water management report shall be required as part of the plan of subdivision approval process.

2.12 Utilities

2.12.1 Utility services shall be permitted in all land use designations, except Open Space, and Environmentally Significant Areas, Hazard Lands or Escarpment Natural Area designations where exceptions will only be permitted in limited circumstances where deemed necessary by the City and subject to detailed engineering designs to be approved by the City.

2.12.2 Prior to approval of development within the Nash Neighbourhood Secondary Plan area, all interested utilities and telecommunications providers are to confirm if services can be provided to support the proposed development; and shall determine appropriate locations for large utility equipment or utility cluster sites, and that they can be phased in a way that is cost effective and efficient.

2.12.3 Public and Private Utilities shall be:

i. Installed, wherever possible, within public road allowances or within appropriate easements;
ii. Clustered or grouped where possible to minimize visual impact and are encouraged to consider innovative methods of containing utilities and telecommunication infrastructure (i.e., gateways, lamp posts, transit shelters etc.); and,

iii. Located within an initial common trench, wherever possible, to avoid unnecessary over digging and disruption of municipal rights of way.

2.12.4 Consideration shall be given to the location of utilities within public rights of way as well as on private property.

2.13 Special Policy Areas

Due to various concerns, special policies and designations beyond those included in the Land Use Section of this plan are required. There are three Special Policy Areas in the Nash Neighbourhood. Special Policy Area “A” is the telecommunication tower and antenna site, Special Policy Area “B” is the former East Taro Quarry/Landfill, and Special Policy Area “C” earth station (satellite dish and associated facilities) site. In order to reflect concerns related to the Special Policy Areas identified on Schedule A, the following policies shall apply.

2.13.1 SPECIAL POLICY AREA “A”

i. Special Policy Area “A” as identified on Schedule A is currently used for telecommunication towers and antennas. These existing uses are recognized and permitted until redevelopment of the property occurs.

ii. These lands are intended to be redeveloped for Low and Medium Density Residential, Open Space and stormwater management purposes. Development for these uses can occur without further amendment to this plan.

2.13.2 SPECIAL POLICY AREA “B”

i. Special Policy Area “B” as identified on Schedule A is ultimately intended for open space and/or recreational uses and may include a golf course. However, these lands may be used for land fill and quarry operations in accordance with the Terms and Conditions of the
Agreement among the Corporation of the former City of Stoney Creek, Taro Aggregates Ltd. and Philip Environmental Inc. dated February, 1997; the Provisional Certificate of Approval for a Waste Disposal Title No. A181008 dated September 6, 1996; and Notice of Approval to proceed with the undertaking under Section 14 of the Environmental Assessment Act dated July 15, 1996; and any amendments to the aforementioned documents.

ii. Final closure of this site, and the after-use of this site for recreational, parkland, and open space uses, such as a golf course, will require the approval of the Minister of Environment pursuant to the provisions of the Environmental Protection Act, as amended.

iii. Recreational, Parkland and Open Space uses, when approved by the Minister, can occur without amendment to the Secondary Plan subject to any necessary Site Plan and Development Agreements being approved by the City.

2.13.3 SPECIAL POLICY AREA “C”

i. Special Policy Area “C” as identified on Schedule A is currently used for an “earth station” (satellite dishes and associated equipment) regulated and licenced by Industry Canada and subject to Health Canada’s Safety Code 6 guidelines. This existing use is permitted, subject to compliance with the noted Federal Regulations, as amended, until redevelopment of the property occurs.

ii. These lands are intended to be redeveloped for Medium Density Residential purposes. Development for these uses can occur without further amendment to this plan.

3.0 IMPLEMENTATION

The Secondary Plan shall be implemented by the powers conferred upon the municipality by the Ontario Planning Act, the Municipal Act, the Places to Grow Act and other applicable statutes and in accordance with the applicable policies of the City of Hamilton Official Plan in addition to the following policies.
3.1 Traffic Studies

3.1.1 Prior to any development occurring within the Nash Neighbourhood, a traffic study shall be required, to the satisfaction of the General Manager of Public Works, to determine the adequacy of the following intersections and roads:

i. the intersection of Mud Street West and First Road West;
ii. the intersection of Upper Centennial Parkway and Green Mountain Road;
iii. First Road West; and
iv. Green Mountain Road

to accommodate the ultimate development proposed and assess the potential roundabouts and other traffic calming measures within the Nash Neighbourhood.

3.1.2 The recommendations of the Traffic Study noted in Policy 3.1.1 above shall be implemented at the expense of the developer.

3.2 Class Environmental Assessments

3.2.1 New municipal roads may be subject to the Municipal Engineers Association (MEA) Municipal Class Environmental Assessment document (June 2000). All Class EA requirements must be fulfilled prior to development approval by Hamilton City Council.

Closure of former Quarry/Landfill

3.2.2 Following the closure of the former Taro East Quarry/Landfill identified as Special Policy Area B on Schedule A, the City of Hamilton shall undertake a Class EA pursuant to the provisions of the Environmental Protection Act, to determine the feasibility of and requirements for the proposed realignment of:

3.2.2.1 First Road West, north of Mud Street and the proposed closure of First Road West at Mud Street West; and,
3.2.2.2 Green Mountain Road at Centennial Parkway and the proposed closure of Green Mountain Road at Centennial Parkway.

3.3 Development Adjacent to (former) Quarries

3.3.1 Lands intended for residential use within 160 metres of the working licensed limits of an active quarry or the limits of a former quarry under rehabilitation shall be placed in a Holding Zone in accordance with Stoney Creek Official Plan Policy Subsection F.4. The Holding Zone will not be removed for those lands immediately adjacent to the quarry properties, until such time as the completion of mining and the completion of rehabilitation on quarry lands immediately adjacent to the Residential Holding Zone.

3.3.2 Proponents of development proposals for residential and other sensitive land uses located within 500 metres of the Taro East Quarry/Landfill site shall be required to submit studies demonstrating that there are no adverse effects on the development or that the effects can be mitigated. Said studies may include but not be limited to ground and surface water monitoring, leachate monitoring onto the subject lands, traffic, air quality, noise, soil contamination and hazardous waste and landfill generated gases, subject to the requirements of the City of Hamilton.

4.0 INTERPRETATION

This Secondary Plan is a statement of policy. It is intended as a guide to the development of the Amendment Area. Some flexibility in interpretation is permitted, provided the general intent of the policies and principles of this Plan are maintained.

The designations identified on Schedule A are intended to show general areas an the boundaries are flexible and may vary without amendment to the Plan, except where designations are established by fixed boundaries such as river valleys and roads or where specifically stated to be fixed in the policies of this Plan.

Where lists or examples of permitted uses are provided, they are intended to illustrate the possible range and type of uses that are to be considered. Specific uses not listed, but considered by the City to be similar to the listed uses and to conform to the general intent of the applicable land use designation may be recognized as a permitted use.
Minor variations from numerical requirements in the Plan may be permitted without an amendment provided that the general intent of the Plan is maintained.

Development within the community shall be subject to all policies of this Secondary Plan and any applicable policies of the parent Official Plan. However, where there is a conflict between this Secondary Plan and the parent Official Plan, the policies of this Secondary Plan shall apply.

**THIS PLAN CONTAINS REFERENCES TO BOTH THE STONEY CREEK OFFICIAL PLAN AND THE OFFICIAL PLAN AMENDMENT FOR THE NASH NEIGHBOURHOOD SECONDARY PLAN. FOR LEGAL INTERPRETATIONS IN THE EVENT OF A LAND USE DISCREPANCY, PLEASE REFER TO THE OFFICIAL PLAN AMENDMENT FOR THE NASH NEIGHBOURHOOD.**
Appendix 1: Community Structure Plan